



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,982	08/23/2001	John W. Evans	97541.00011	2268
21832 7590 11/25/2009 MCCARTER & ENGLISH, LLP HARTFORD CITYPLACE I 185 ASYLUM STREET HARTFORD, CT 06103				
EXAMINER DEL COTTO, GREGORY R				
ART UNIT		PAPER NUMBER		
1796				
MAIL DATE		DELIVERY MODE		
11/25/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: JOHN W. EVANS and J. THOMAS LIGHT

Appeal No. 2009-009364
Application No. 09/935,982
Technology Center 1700

Mailed: November 25, 2009

Before ROGER L. WILLIAMS, *Chief Clerk of the Board*

ORDER DISMISSING APPEAL

On December 21, 2007, Appellants filed a Notice of Appeal. This application was subsequently received by the Board of Patent Appeals and Interferences on May 01, 2009. Appellants filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE will be treated as a request to withdraw the appeal.

CONCLUSION

Accordingly, it is hereby

ORDERED that the application is returned to the Examiner to:

1) consider the request to reopen prosecution filed July 30, 2009 as required; and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/Ssl

MCCARTER & ENGLISH, LLP HARTFORD
CITYPLACE I
185 ASYLUM STREET
HARTFORD, CT 06103